

CLOSED, ACO, TRADEMARK

U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:21-cv-06875-DG-MMH

Juanchi's Burgers, Inc. v. MJ Blue Sage & Company et al
Assigned to: Judge Diane Gujarati
Referred to: Magistrate Judge Marcia M. Henry
Cause: 15:1051 Trademark Infringement

Date Filed: 12/13/2021
Date Terminated: 01/20/2022
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff**Juanchi's Burgers, Inc.**

represented by **Kyle George Kunst**
Gallet Dreyer & Berkey, LLP
845 Third Avenue
Ste 5th Floor
New York, NY 10022
212-935-3131
Email: kgk@gdblaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

MJ Blue Sage & Company
doing business as
Brooklynite Burgers

represented by **David Nicholas Saponara**
Kudman Trachten Aloe Posner LLP
800 Third Avenue
Ste 11th Floor
New York, NY 10022
212-868-1010
Fax: 212-868-0013
Email: dsaponara@kudmanlaw.com
ATTORNEY TO BE NOTICED

Defendant

Diego McFarlane
also known as
McFarlane, Mauricio

represented by **David Nicholas Saponara**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/13/2021	1	COMPLAINT against All Defendants filing fee \$ 402, receipt number ANYEDC-15111274 Was the Disclosure Statement on Civil Cover Sheet completed -YES,, filed by Juanchi's Burgers, Inc.. (Attachments: # 1 Exhibit Ex. A - Store License Agreement, # 2 Exhibit Ex. B - Yelp Webpage, # 3 Civil Cover Sheet Civil Case Cover Sheet, # 4 Proposed Summons Proposed Summons, MJ Blue Sage, # 5 Proposed Summons Proposed Summons, McFarlane) (Kunst, Kyle) (Entered:

		12/13/2021)
12/14/2021		Case Assigned to Judge Diane Gujarati and Magistrate Judge Marcia M. Henry. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 12/14/2021)
12/14/2021	2	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Davis, Kimberly) (Entered: 12/14/2021)
12/14/2021	3	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Davis, Kimberly) (Entered: 12/14/2021)
12/14/2021	4	Summons Issued as to MJ Blue Sage & Company, Diego McFarlane. (Attachments: # 1 Summons) (Davis, Kimberly) (Entered: 12/14/2021)
12/14/2021	5	Notice of Report on the filing of an action regarding a Patent or Trademark. (Attachments: # 1 complaint) (Rocco, Christine) (Entered: 12/14/2021)
01/03/2022	6	SUMMONS Returned Executed by Juanchi's Burgers, Inc.. Diego McFarlane served on 12/16/2021, answer due 1/6/2022. (Kunst, Kyle) (Entered: 01/03/2022)
01/03/2022	7	SUMMONS Returned Executed by Juanchi's Burgers, Inc.. MJ Blue Sage & Company served on 12/16/2021, answer due 1/6/2022. (Kunst, Kyle) (Entered: 01/03/2022)
01/05/2022	8	NOTICE of Appearance by David Nicholas Saponara on behalf of MJ Blue Sage & Company, Diego McFarlane (aty to be noticed) (Saponara, David) (Entered: 01/05/2022)
01/05/2022	9	Letter MOTION for Extension of Time to File <i>Response to Complaint</i> by MJ Blue Sage & Company, Diego McFarlane. (Attachments: # 1 Exhibit Stipulation Extending Time to Respond to Complaint) (Saponara, David) (Entered: 01/05/2022)
01/05/2022	10	Corporate Disclosure Statement by MJ Blue Sage & Company (Saponara, David) (Entered: 01/05/2022)
01/06/2022		ORDER: GRANTING 9 Motion for Extension of Time to File Answer. Defendants have until 01/14/2022 to answer or otherwise respond to the Complaint. So Ordered by Magistrate Judge Marcia M. Henry on 01/06/2022. (Gans, Courtney) (Entered: 01/06/2022)
01/14/2022	11	Letter MOTION for pre motion conference <i>re: Defendants' Proposed Motion to Dismiss the Complaint</i> by MJ Blue Sage & Company, Diego McFarlane. (Attachments: # 1 Exhibit 1 - Exclusivity Agreement, # 2 Exhibit 2 - Registration Certificates) (Saponara, David) (Entered: 01/14/2022)

01/20/2022	12	NOTICE of Voluntary Dismissal by Juanchi's Burgers, Inc. <i>Without Prejudice as to All Defendants</i> (Kunst, Kyle) (Entered: 01/20/2022)
01/20/2022		ORDER DISMISSING CASE and denying as moot 11 Motion for pre motion conference: As per the 12 Notice of Voluntary Dismissal filed January 20, 2022, this action is hereby dismissed without prejudice. Further, in light of the dismissal, Defendants' 11 Motion for pre motion conference is denied as moot. The Clerk of Court is respectfully directed to close this case. Ordered by Judge Diane Gujarati on 1/20/2022. (Almonte, Kelly) (Entered: 01/20/2022)